MR. JAMES SADLEIR.

RETURN to an Order of the Honourable The House of Commons, dated 13 February 1857;—*for*,

COPIES "of the REPORT of Sir *Richard Mayne*, of the 11th day of February 1857, and of the WARRANT therein mentioned:"

"And, of the REPORT of the CROWN SOLICITOR for *Leinster*, of the 12th day of February 1857, and of the several Orders and Documents therein mentioned."

Metropolitan Police-office, Whitehall-place,
11 February 1857.

Sir,

I HAVE to acknowledge the receipt of your letter of the 9th instant, and to enclose, as desired, a copy of the warrant for the arrest of Mr. James Sadleir, delivered at this office on the 11th July 1856.

I have to state, as requested, for the information of Mr. Horsman, that the warrant was received at this office on the 11th July 1856, and directions were immediately given to the whole of the divisions of Metropolitan Police, and to the detective force, to endeavour to find Mr. James Sadleir, but no trace of him could be obtained, and Inspector Whicher, of the detective force, who was specially employed in the case, reports that from the inquiries made by him he feels convinced that Mr. James Sadleir has not been in London since (nor for some time before) the warrant for his apprehension was transmitted to this office in July last.

I am, &c.
(signed) *Richard Mayne.*

R. M. Bland, Esq.

COUNTY of *Tipperary*, South Riding, to wit.

By *Henry Walker Thompson*, Esq., one of Her Majesty's Justices of the Peace, in and for *Ireland*.

WHEREAS I have received information from the oath of William Kelly, of Thornhill, near Dundrum, that James Sadleir, late of Clonacody, near Clonmel, in the county of Tipperary, Esq., did conspire with John Sadleir and others to defraud Her Majesty's subjects, particularly those resident in England, of divers sums of their monies by false representations of the accounts and circumstances of the Tipperary Joint Stock Banking Company: These are, therefore, in Her Majesty's name, requiring and commanding you and each of you, on sight or receipt hereof, without any delay, to search for and apprehend the body of the said James Sadleir, and when so found to bring him before me or some other of Her Majesty's justices of the peace, that he may be dealt with according to law, and for so doing this shall be your warrant.

Given under my hand and seal, at my office in Her Majesty's Castle of Dublin, this 4th day of July 1856.

(signed) *H. W. Thompson*, (SEAL),
Justice of the Peace for Ireland.

To Jonathan Whicher, Inspector of the London Metropolitan Police and his Assistants, and to all High and Chief Constables, Peace Officers and other Constables.

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The Queen *against* James Sadleir, Esq., M.P.

Sir, 45, Kildare-street, Dublin, 12 February 1857.

In addition to the papers sent to you on the 7th instant, with my report of the proceedings against Mr. James Sadleir, I beg herewith to send you some further documents, showing that in consequence of Mr. Sadleir's continued absence, the Judges of the several law courts have allowed service of orders in certain civil proceedings to be deemed good service on Mr. Sadleir, when served on Messrs. Kiernan & Tracey, of Lower Dominick-street, in this city, the attorney of Mr. James Sadleir.

The papers are,—

In the Common Pleas.

1st. In the cause of Pat. J. Hickie *against* Francis Scully, Esq., M.P., and James Sadleir, Esq. M.P.

21 October 1856.
28 October 1856.

Attested and compared copies of a Conditional Order, and of an Absolute Order for the purpose above mentioned.

18 October 1856.

A like copy of the Affidavit of the Plaintiff, Mr. Hickie, on which the above Orders were made.

Exchequer II. Hilary Term.
2 February 1857.
13 January 1857.

A like Order in this Court in the cause of Carroll *against* Kennedy, and the Affidavit on which it was founded.

Queen's Bench. Hilary, 1857.
4 February 1857.

A like Order in the cause of Walker *against* M'Dowell.

I did not think it necessary to wait to get the affidavit on which this latter order was founded. It was made by Mr. Thomas Fitzgerald, attorney for the plaintiff, to sustain an application to issue a *scire facias* on a judgment obtained against Mr. M'Dowell, the official manager, against Mr. James Sadleir, M.P.; and Mr. Fitzgerald states in his affidavit that "Mr. James Sadleir has left this country, and is now resident in either Norway or Sweden, as deponent is informed and believes, and as appears from affidavits in the Common Pleas, and Mr. Fitzgerald adds, that he believes that an order or process served upon Messrs. Kiernan & Tracey will be transmitted to Mr. James Sadleir.

The copies of papers now sent are about the latest I can find.

I beg also to send you a letter from Mr. Gason, the outgoing under-sheriff of the county of Tipperary, to show you that that gentleman made every exertion to have the writs in the outlawry proceedings served. I also saw Mr. George M'Dowell, the official manager of the Tipperary Bank affairs, this day. He informs me that he believes that Mr. Sadleir left Ireland early in June last, and believes that he has not been in Ireland since. Mr. M'Dowell will be in London next week, as he has been summoned as a witness in the cause of Ginger *v.* Law, a case arising out of the Tipperary Bank business.

I have, &c.
(signed) *Thomas Kemmis,*
Crown Solicitor.

The Right Honourable the Attorney-General,
Irish Office, London.

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The Queen *v.* James Sadleir, M.P.

Sheriff's Office, County Tipperary, Littleton,
6 February 1857.

Sir,

WITH reference to the executions in above (three in number), viz., a *venire*, a *capias* (both returned), and an *alicies capias*, which last I have handed over to the new sheriff, I beg to inform you that I have, *bonâ fide*, and with all possible diligence, searched for defendant.

I believe he is not now, nor has he at any time since the receipt of the writs, been in our hailiwick; he has now no residence in this county; and I am aware that all his goods have been sold by the official manager of the joint stock bank, pursuant to an order of the Master in the cause.

I am, &c.
(signed) *Samuel M. Gason*,
Sub-Sheriff, Co. Tipperary.

Thomas Kemmis, Esq., Crown Solicitor,
Kildare-street, Dublin.

EXCHEQUER.

Michael Carroll, Plaintiff; *Wilson Kennedy*, one of the Public Officers of the Co-partnership called the Tipperary Joint Stock Bank, Defendant.

DANIEL JOSEPH BERGIN, of York-street, in the city of Dublin, attorney for the plaintiff in this cause, maketh oath and saith, that, pursuant to an order of this Honourable Court, defendant, on the 12th day of January instant, issued a writ of *scire facias* in this cause, directed to James Sadleir; saith, that the said James Sadleir has left Ireland for some time past, and defendant is unable to ascertain where the said James Sadleir is now resident; but saith that in an affidavit filed by Mr. Patrick J. Hickey, one of the attornies, filed in the Court of Common Pleas, he is stated to be out of the jurisdiction, and upon report, he, resident in Sweden or Norway, and that Messrs. Kiernan & Tracey, of Lower Dominick-street, Dublin, are his attornies and solicitors, and to transacting his legal; and an order was made by the said Court of Common Pleas in the cause wherein the said Patrick J. Hickey is plaintiff, and Francis Scully and said James Sadleir, defendants, bearing date the 21st day of October last, that service of the writ of summons and plaint in said cause on the said Messrs. Kiernan & Tracey should be deemed good service of said writ on said James Sadleir, unless cause in four days; saith, that the said Messrs. Kiernan & Tracey were the attornies who filed an affidavit of the said James Sadleir as cause against the conditional order to issue said writ of *scire facias*, and appeared upon the motion to make said order absolute in this cause on behalf of the said James Sadleir; and deponent believes the said Messrs. Kiernan & Tracey are still the solicitors acting for the said James Sadleir in this and other causes.

Daniel J. Bergin.

Sworn before me, this 13th day of January 1856, at the Law Exchequer Office, on the Inns Quay, in the county of the city of Dublin, and I know the Deponent.

B. Castles.

Daniel J. Bergin.

Received, 13th January 1857.

W. S. Cooper.

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EXCHEQUER.

Michael Carroll v. *Wilson Kennedy*, one of the Public Officers of the Co-partnership called the Tipperary Joint Stock Bank.

Monday, 2 February 1857.

ON reading an affidavit of service of the conditional order of the 16th January last, and a certificate of no cause shown: It is ordered by the Court that service of the writ of *scire facias* in this cause upon Messrs. Kiernan and Tracey, the attorney of James Sadleir, in said writ mentioned, be deemed good service of said writ upon said James Sadleir without further motion.

Daniel J. Bergin, Attorney. *H. Yeo*, Jun.

William Walker, Public Officer of the Newcastle Commercial Banking Company, v. *George M'Dowell*, Official Manager of the Co-partnership called the Tipperary Joint Stock Bank.

Wednesday, 4 February 1857.

ON reading the conditional order of the 23d day of January 1857, affidavit of the service thereof, and certificate of no cause shown: It is ordered that the said conditional order be and the same is hereby made absolute, and that the service of the conditional order of the 20th day of January instant, in this cause on James Sadleir, in said order mentioned, be substituted, by delivering a true copy thereof, together with a true copy of this order, unto and by leaving same with Messrs. Kiernan and Tracey as attorney for said James Sadleir, and thereupon that same be deemed good service of the said conditional order upon the said James Sadleir.

By the Court,
Christopher N. Duff.

David and Thomas Fitzgerald,
Attornies.

COMMON PLEAS.

Hickie *v.* Scully.

Patrick Joseph Hickie, of Upper Gardiner-street, in the County of the City of Dublin, Attorney and Solicitor, Plaintiff.

Francis Scully of Glo'ster-square, Hyde-park, in the County of Middlesex, in England, Esq., Member of Parliament, and *James Sadleir*, late of Clonacody, in the county of Tipperary, in Ireland, Esq., Member of Parliament, Defendants.

PATRICK JOSEPH HICKIE, of Upper Gardiner-street, in the city of Dublin, attorney and solicitor, the plaintiff in this cause, maketh oath, and saith, that this action is brought for recovery of a bill of costs for defendant's professional assistance at and previous to the election of the defendants as representatives of the county of Tipperary, in the year 1852 (amount 52*l.* 5*s.* 7*d.*); saith he believes the defendant James Sadleir secretly absconded from this country in or about the month of July last, in consequence of the intended prosecution for frauds in connexion with the Tipperary Bank, and that his present residence is unknown to defendant, but defendant verily believes he is out of the jurisdiction of this Court, and was stated in the public newspapers to be in Sweden or Norway; saith that in pursuance of an order, bearing date the 23d day of July last, made in the cause of O'Flahertie and others, petitioners, the said James Sadleir, respt, George M'Dowell, Esq., the official manager of the said Tipperary Bank, was appointed receiver over the property of the said James Sadleir, and that he is now in possession and receipt of the rents thereof; and saith, that on the occasion of the pronouncing of said order, Messrs. Kiernan & Tracey,

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& Tracey, of Lower Dominick-street, in the city of Dublin, publicly attended and acted as the solicitors of said James Sadleir, and that they also appeared in several motions in the law courts on behalf of said James Sadleir, and are the attornies on record for him at present in the cause of "Carroll *against* Kennedy," public officer of said bank, still depending in the Court of Exchequer.

Patrick J. Hickie.

Sworn before me, this 18th day of October 1856, at my office, Inns Quay, in the county of the city of Dublin, the words "Twenty-third July," being interlined; and I know the deponent.

C. G. Burke.

P. J. Hickie, Attorney.

Received 18th October 1856.

O. M'Causland.

COMMON PLEAS.

Tuesday, 21 October 1856,
In Chamber.

Patrick J. Hickie v. *Francis Scully* and *James Sadleir.*

On Motion of Mr. Curtis of Counsel for Plaintiff, and on reading Affidavit of Plaintiff:

IT is ordered by the Right Honourable Mr. Justice Keogh, that a service to be made of said writ of summons and plaint, and this order, on Messrs. Kiernan & Tracey, the attorney of the defendant James Sadleir, shall be deemed good service of said writ on said defendant, James Sadleir (who resides abroad), unless cause be shown to the contrary in four days after service, as aforesaid.

Arthur Greene.

Patrick J. Hickie.

COMMON PLEAS.

Tuesday, 28 October 1856,
In Chamber.

Patrick Joseph Hickie v. *Francis Scully* and *James Sadleir.*

ON reading the Conditional Order of the 21st instant, an Affidavit of the service thereof on the 22d instant on the persons directed to be served therewith, and a Certificate of no cause shown:

IT is ordered by the Court, that said Order be made absolute; and accordingly that the services made of the writ of summons and plaint in this cause, as set forth in said affidavit, be deemed good service of said writ on said defendants.

Arthur Greene.

Patrick J. Hickie, Attorney.

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MR. JAMES SADLEIR

COPIES of the REPORT of Sir *Richard Mayne* of the 11th February 1857, and of the WARRANT therein mentioned; and of the REPORT of the CROWN SOLICITOR for *Leinster*, of the 12th February 1857, and of the several Orders and Documents therein mentioned.

(*Mr. Attorney-General for Ireland.*)

Ordered, by The House of Commons, *to be Printed,*
13 *February* 1857.

37.

Under 1 *oz.*

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